

REMARKS

The present amendment is submitted in response to the Office Action dated November 17, 2004. Claims 1-20 are pending in the application, with claim 1 as the only independent claim. Claims 1, 7, 14 and 19 are amended herein. Claim 20 is canceled.

In the Office Action, the Examiner objected to claim 7 because of an informality. In addition, claims 1-17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Moreover, claims 1-2, 13-18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda (U.S. Patent No. 5,004,899). Further, claims 1, 3-6, 9-10 and 13-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hooglander et al. (U.S. Patent Publication No. 20020166897). Still further, claims 3-6, 13-14, and 18-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Hileman et al.¹ In addition, claims 3-14, 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Middlemiss et al. (U.S. Patent No. 6,184,788). Claims 9-12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Levy (U.S. Patent No. 4,884,507). Finally, claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda in view of Pentz et al. (U.S. Patent No. 6,471,127) and, alternatively, over Ueda in view of Weyant².

Objection to Claim 7

With respect to the objection of claim 7 because of an informality, Applicants respectfully submit that claim 7 has been amended to replace “mans” with --means--. Applicants respectfully submit that the amendment overcomes the objection thereto.

Rejections Under 35 U.S.C. § 112

¹ The patent to Hileman et al. was not designated in the Office Action. Moreover, the identity of Hileman et al. was unattainable, since Hileman et al. was not designated on any Form PTO-1449 cited by Examiner or Applicants. Correction is respectfully requested.

² Weyant was also not designated in the Office Action by the Examiner. For purposes of reviewing the Office Action, Weyant was assumed to be U.S. Patent Publication No. 2002/0040935, since that is the only Weyant reference cited by Examiner on Form PTO 1449. Applicants respectfully request correction if this assumption is incorrect.

With respect to the rejection of claims 1-17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention, Applicants respectfully submit that the term “transaction card” is not vague/indefinite. In any event, Applicants have amended independent claim 1 to further define “transaction card.” Specifically, Applicants respectfully submit that “transaction card” is defined in the disclosure as “providing a means for purchasing goods or services without the use of paper money or coinage.” Specifically, the specification states:

Transaction cards may represent credit, whereby a user of the transaction card may present the card in lieu of the paper money or coinage. Alternatively, transaction cards may be debit cards, whereby electronic money, such as money stored in an account, is removed from the account each time that the transaction card is used. In addition, transaction cards may have a certain amount of money, or other valuable commodity, recorded thereon, whereby a user of the transaction card may remove the money directly from the transaction card. Specification, p. 1, lines 14-22.

Moreover, Applicants have amended claim 1 to define that the transaction card according to the present invention has dimensions in accordance with the International Organizations for Standardization (typically about 2 1/4 inches by about 3 3/8 inches)³. Applicants respectfully submit that the term “transaction card” in the claims of the present invention is not vague and indefinite. Applicants further respectfully submit that Applicants distinctly claim the subject matter which the Applicants regard as the invention.

Rejections Under 35 U.S.C. § 103(a)

With respect to the rejection of the claims under 35 U.S.C. § 103(a) as being unpatentable over Ueda and Hooglander et al., as well as other cited references, Applicants respectfully submit that the claims, as amended, distinctly define the present invention from any of the references of record, taken along or in combination.

³ Specifically, ISO has specified that card ID-1 are “nominally 85.60 mm (3.370 in) wide by 53.98 in (2.125 in) high by 0.76 (0.030 in) thick.” ISO/IEC 7810 (2003).

More specifically, independent claim 1 has been amended to define that the housing has at least one dimension smaller than at least one dimension of a standard, traditional transaction card that is defined according to ISO standard 7810. This allows the transaction card, as well as the housing, to maintain a small size, thereby allowing the transaction card and housing to discretely and safely be stored. The cited references do not even remotely disclose or teach this feature. Accordingly, the rejections of the claims under 35 U.S.C. § 103(a) have been overcome and should be withdrawn.

Claims 2-14 and 16-19 depend from independent claim 1. These claims are further believed allowable over the references of record for the same reasons set for the above with respect to their parent claims since each sets forth additional novel features of Applicants' foldable transaction card systems.

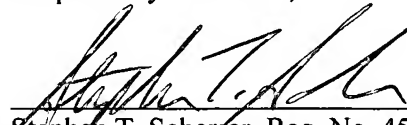
CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that all of the claims in the application are in allowable form and that the application is now in condition for allowance. If, however, any outstanding issues remain, Applicants urge the Examiner to telephone Applicants' attorney so that the same may be resolved and the application expedited to issue. Applicants request the Examiner to indicate all claims as allowable and to pass the application to issue.

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Respectfully submitted,



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